IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 6th day of May 2005
Criminal Misc. Bail Application No. 344/2005
Order on the bail application of accused .

CRIMINAL SIDE
Naresh S/o Mamraj
R/o Sherpur Khelmaue
P.S. Jhabreda
District Haridwar ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out Case Crime No. 386/ 2004
U/Ss 379, 411 I.P.C.
P.S. Kotwali Dehradun
District Dehradun.

By the court

Hon'ble J.C.S. Rawat, J.

Heard Sri Manish Arora learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the applicant has already been released on bail under section 411 IPC by the Session Judge vide its order dated 11.3.2005. So far as the offence under section 379 IPC is concerned, it was contended on behalf of the applicant that the case is triable by the Magistrate. It was also contended that there is no eye-witness, who have seen that the alleged vehicle was taken by the applicant-accused. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 06.5.2005
LSR